



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

October 26, 2018

By ECF

The Honorable Richard J. Sullivan
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Akayed Ullah*, 18 Cr. 16 (RJS)

Dear Judge Sullivan:

The Government respectfully submits this letter in response to the Court's October 26, 2018 order directing the parties to explain whether they intend to file with the Clerk of Court the video the defense submitted to the Court in connection with the defendant's motions *in limine* (see Doc. No. 37-1). For the reasons set forth in the Court's order, including the presumption of public access to Court records, the Government does not object to the video being filed with the Clerk of Court. However, and consistent with some of the considerations raised in the defendant's October 26, 2018 letter, the Government does not object to the video remaining under seal until the conclusion of trial. Nor does the Government object to the redaction of the first three seconds of the publicly filed video, which is the only portion that shows parts of the defendant's body other than his face, and does not contain any statements by the defendant or law enforcement.

Respectfully submitted,

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By: _____/s/
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Cc: Defense Counsel (by ECF)